

**FLATHEAD COUNTY PLANNING BOARD
MINUTES OF THE MEETING
SEPTEMBER 8, 2010**

**CALL TO
ORDER**

A meeting of the Flathead County Planning Board was called to order at approximately 6:00 p.m. Board members present were Marie Hickey-AuClaire, Gordon Cross, Charles Lapp, Frank DeKort, Mike Mower, Jim Heim, Jeff Larsen and Bob Keenan. Marc Pitman had an excused absence. BJ Grieve represented the Flathead County Planning & Zoning Office.

There were 12 people in the audience.

**APPROVAL OF
MINUTES**

Keenan made a motion, seconded by Hickey-AuClaire to approve the July 21, 2010 and August 11, 2010 meeting minutes.

The motion passed by quorum.

**PUBLIC
COMMENT
(not related to
agenda items)**

None.

**NOONAN ET AL
(FZTA 10-02)**

A request by Noonan et al for a Zoning Text Amendment to the Flathead County Zoning Regulations. The proposed amendment would add a new Section 3.44, B-2HGr (General Business Highway Greenbelt) to the zoning regulations. The new zone allows many of the same permitted and conditional uses as the B-2 zone, but mitigates visual impacts of commercial development along major transportation routes where visibility is higher. The applicants propose additional setbacks for green space, a tiered building height limit and additional constraints on signage and lighting.

STAFF REPORT

Grieve reviewed Staff Report FZTA 10-02 for the Board.

**BOARD
QUESTIONS**

The board and staff discussed what would be interpreted as a highway, the city of Kalispell comments, and which would be used by the board, the county Growth Policy, adopted by the commissioners, or the Kalispell Growth Policy.

**APPLICANT
PRESENTATION**

Erica Wirtala of Sands Surveying Inc. represented the applicants. She gave a brief history of how the application came to be and spoke about some of the elements of the B-2 HGr zone which included lighting and the uses being similar to what was

included in the Kalispell and Whitefish Master Plans. She spoke about setbacks, bike paths, parking and septic drain fields being incorporated into the greenbelt. She stated public water and sewer was some time out as far as being implemented and the zone had to accommodate public water and sewer systems. There was no neighborhood plan or advisory board for this district.

**BOARD
QUESTIONS**

The board and Wirtala discussed at length hours of lighting, if the zone could be used in other areas in the valley, why the applicant didn't propose a zone which would mesh well with city zoning, and how the greenbelt setback applied to existing developed properties. They also discussed uses.

The board, Wirtala and Grieve discussed the need for frontage roads extensively and how they would fit and possible ways they could fit better into the proposed zoning.

**AGENCY
COMMENTS**

None.

**PUBLIC
COMMENT**

Rick Meyers, 15 Miranda Drive, commented about bike paths.

Jeanette Cheney, 103 Ponderosa Lane, was not in favor of the text amendment.

Sheri Hammond, 44 Tronstad Drive, was not in favor of the text amendment.

Sharon DeMeester, 415 Ponderosa Drive, read her comment letter to the board. She was not in favor of the text amendment.

Brace Hayden, 411 Chestnut Drive, was not in favor of the text amendment.

Marilyn Frey, 124 Ponderosa Lane, was not in favor of the text amendment.

Eric Wutke, Mild Fence Co., was in favor of the text amendment.

**APPLICANT
REBUTTAL**

Wirtala said she had neglected to mention the B-1 zone which was for professional offices. The zone they proposed was on a major transportation route and centrally located. She spoke about the commercial properties available; some in the city and some in the county. There was no data as to how much was

available. She also spoke about how these property owners had been established for a while and had no desire to buy other commercial property. She also commented zoning was fluid and changed over time.

**STAFF
REBUTTAL**

Grieve stated B-1 was restricted and the board might want to clarify the issue of where this zone would be appropriate.

**BOARD
DISCUSSION**

Cross declared a 5 minute recess.

The board reconvened at 7:15.

**MAIN MOTION
TO ADOPT
F.O.F.
(FZTA 10-02)**

Hickey Au-Claire made a motion seconded by Larsen to adopt staff report FZTA 10-02 as findings-of-fact.

**BOARD
DISCUSSION**

The board and Wirtila discussed when a property owner would have to come in for a zone change. The board debated the pros and cons and specifics of the application at length, the need for more information, city water and sewer access, annexation and late comers' and impact fees.

Cross spoke about LTR and the board's discussion regarding development and how this application was countywide yet focused mainly on these particular properties. He felt this application needed more work. He was in favor of postponing this application while staff and one of the committees worked on it further.

The board discussed the options concerning the application at length.

Lapp and Grieve discussed the requirements for greenbelts briefly.

**MOTION TO
POSTPONE
UNTIL THE
10/13/10
PLANNING
BOARD
MEETING**

Larsen motioned and Mower seconded to postpone to the 10/13/10 planning board meeting

BOARD

None.

DISCUSSION

ROLL CALL TO POSTPONE UNTIL THE 10/13/10 PLANNING BOARD MEETING

The motion passed unanimously on a roll call vote.

BOARD DISCUSSION

Cross said since the second item on the agenda was an application for a zoning designation which did not exist, he felt it was moot at this time.

Grieve suggested postponing the application to a date certain as well.

Wirtila asked the application be postponed to 10-13-10 as well.

COMMITTEE REPORTS

Hickey-AuClaire stated committee A had not met to date.

The board discussed a public workshop to discuss updating the Growth Policy and a date to meet. They also discussed at length setting up a Committee A meeting to discuss the process of zone changes and the reasons for being more familiar with the information.

Cross stated committee 'B' would be meeting Monday, September 13th.

OLD BUSINESS

Grieve asked for more direction on what the board wished staff to do before the 10-13-10 meeting.

Hickey-AuClaire stated it would be a good idea to bring the city planning board members together to discuss the B-2 HGr zoning district.

Cross said he had not spoken with any city members. He spoke about meetings the city of Kalispell had coming up regarding the city annexation plan.

The board, Grieve and Wirtila discussed sewer hook-up fees, how they were very expensive when it came to annexation, working with the city of Kalispell and getting input from other areas regarding the uses in a highway greenbelt area as well as

permitted uses in different zones.

Grieve asked what the board wanted the office to bring back to them on the 10-13-10 meeting.

Cross said both subcommittees would meet individually before that time, share with each other each committee's thoughts, and then staff would have a good direction to communicate with Wirtila.

The board and Wirtila and Grieve discussed when the board would meet with the cities, highway differentiation, and the steps they felt would be followed to gather information. They also discussed how this application compared to LTR, percentage of the land which was considered vacant, which businesses were operating as a permitted use or non conforming use and why the application only went back so far from the highway,

NEW BUSINESS

Grieve stated he would assign staff members to each of the committees.

The board and staff discussed whether or not they had a copy of the Lakeside Neighborhood Plan.

Hickey-AuClaire asked where the text amendment stood regarding animation signage.

Grieve said it was on hold and explained why the board saw more and more animated signage. He also stated staff would be limiting the amount of staff time for night meetings due to the fact of being short staffed. He asked the board to let him know if the quality of work appeared to suffer.

The board and Grieve discussed limiting the meetings for subcommittee meetings and if staff needed to attend LUAC meetings.

ADJOURNMENT

The meeting was adjourned at approximately 8:20 pm. on a motion by Keenan. The next meeting will be held at 6:00 p.m. on September 15, 2010.

Gordon Cross, Chairman

Donna Valade, Recording Secretary

APPROVED AS **SUBMITTED**/CORRECTED: 10/13/10